

FORMAL MEETING AGENDA BOARD OF SUPERVISORS

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts, and/or Board of Deposit)

WEDNESDAY, NOVEMBER 14, 2007

9:00 AM

Board of Supervisors' Auditorium
205 W. Jefferson
Phoenix, Arizona

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

BOARD OF SUPERVISORS

1. Introduction of the "Pet of the Month" from Maricopa County Animal Care & Control.

STATUTORY HEARINGS

Clerk of the Board

2. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Shirley A. McGarrigle for a Special Event Liquor License: (F23221) (SELL802)

Business Name:	Our Lady of Lourdes Women's Guild
Location:	14818 W. Deer Valley Drive, Sun City West, 85375
Date/Time:	December 31, 2007

- b. Application filed by Donald A. Rogers for a Special Event Liquor License: (F23221) (SELL804)

Business Name: Knights of Columbus
Location: 14818 W. Deer Valley Drive, Sun City West, 85375
Date/Time: December 15, 2007, January 19, 2008

- c. Application filed by Craighton T. Boates for a Special Event Liquor License: (F23221) (SELL805)

Business Name: Rotary Club of Anthem
Location: 41703 N. Gavilan Peak Parkway, Anthem, 85086
Date/Time: December 8, 2007, 4:00 to 10:00 p.m.

- d. Application filed by Thomas William Arnold for a Person-to-Person Transfer of a Series 6 Liquor License from Annabelle Cooper: (MCLL6247) (AZ#06070122)

Business Name: Last Chance Saloon
Location: 26427 S. Arizona Avenue, Chandler, 85248

- e. Application filed by Dorene Ann Ross for a New Series 12 Liquor License: (MCLL6245) (AZ#12077337)

Business Name: Coyote Flats
Location: 49621 Calif Hwy 60, Aguila, 85320

- f. Application filed by Fredrick Neesan for a New Series 12 Liquor License: (MCLL6246) (AZ#12077352)

Business Name: Sunset Gyros
Location: 15462 N 99th Avenue, Sun City, 85351

- g. Application filed by Kim Kenneth Kwiatkowski for a New Series 10 Liquor License: (MCLL6244) (AZ#10075490)

Business Name: Circle K Store - Riggs
Location: SEC Riggs Road and Arizona Avenue, Chandler, 85248

3. DEANNEXATION AND ANNEXATION

Pursuant to A.R.S. §9-471.02, convene the scheduled public hearing regarding ordinances filed by the **Town of Gilbert** and the **City of Chandler** deannexing and annexing certain territory, described and verified as right-of-way only within their present corporate limits. The Town of Gilbert Ordinance No. 1925 authorized the deannexation and the City of Chandler Ordinance No. 3911 authorized the annexation of the same territory described as a portion of Queen Creek Road between Lindsay Road and the Eastern Canal, approximately 4.063 acres. (C0608036700) (ADM4206-001) (ADM4203-001)

4. PUBLIC HEARING TO NAME A PREVIOUSLY UNNAMED ALIGNMENT

Convene the scheduled public hearing to name a previously unnamed alignment as "North Quiet Hills Drive" in Section 34, Township 7N, Range 4W northeast of US 60 in the Wickenburg area. The department received a citizen request to name a previously unnamed alignment as "North Quiet Hills Drive" in Section 34, Township 7N, Range 4W. The roadway is 1.5 miles long traveling northeast from US 60 in the Wickenburg area. The request is made by Dan and Diane Bojko on behalf of the citizens living along the alignment to better identify the location of properties along a meandering street alignment for emergency service provision. At present, all properties along the alignment are addressed as "North U.S. Highway 60". There are 34 parcels affected by this change. Thirty-three property owners signed a petition in support of the street name change. There is no known opposition. Written sign-off has been received from the Wickenburg Fire Chief and the 911 MSAG Coordinator. Verbal recommendations have been received from MCDOT and the Sheriff's Office. The street name change is expected to expedite emergency and delivery services in the area. (Supervisory District 4) (C4408005000) (ADM2018)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Constables

5. CAPITAL LEASE DOCUMENTS FOR THE CONSTABLES RADIO UNITS

Authorize the Chairman to execute all capital lease documents required to finance the Constables radio units in an amount estimated to be \$95,405 (principal). All capital lease documents are subject to County Counsel approval. Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. The Department of Finance will facilitate the five-year reimbursement capital lease. The Constables will be expending funds for the capital equipment and is requesting reimbursement of their expenditures from the proceeds of the capital lease.

The total capital lease, with an approximate 5.00% interest rate for the estimated principal amount financed, is estimated to be \$100,000. The estimated monthly debt service payments (principal and interest) are estimated to be \$1,890 over 60 months.

Pursuant to A.R.S. §42-17106, transfer expenditure appropriation from FY 2007-08 contingency funds in maximum amounts as follows:

- \$11,323 (annualized impact is \$22,646) from Non Departmental (470) General Fund (Fund 100) Justice Reserve (4711) to the Constables (250) General Fund (100);

Future adjustments will be added to the Constables' General Fund target annually; however, inventory levels will be re-evaluated with changes in staffing and operations. (C2508005400) (ADM1831-003)

County Attorney

6. RECEIPT OF ADDITIONAL GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION

Approve receipt of \$675,087 in additional grant funds from the Arizona Criminal Justice Commission. These funds come from Federal FY 2006-07 Victims of Crime Act funds passed through the Arizona Criminal Justice Commission. The Arizona Criminal Justice Commission certification number VC-08-056 funding commences October 1, 2007, and will terminate on September 30, 2008. These monies are to be used solely for the benefit of victims of crime through the Maricopa County Victim Compensation Program. The grant funds may not be expended for any indirect costs that may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$93,162. These funds were included in the County Attorney's Office (190) Grants Fund (219) budget appropriation for FY 2007-2008 and therefore no appropriation adjustment is necessary. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by budget law. (C1908006301)

7. IGA WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY AND APPROVE RECEIPT OF FUNDS

Approve an Intergovernmental Agreement between the Arizona Department of Public Safety and Maricopa County on behalf of the Maricopa County Attorney's Office. The purpose of this agreement is to enhance law enforcement services concerning the criminal activities of gangs and gang members, through the cooperative efforts of the County Attorney and the Department of Public Safety in accordance with the provisions of Senate Bill 1222, Chapter 287 of the 48th Legislature. This agreement is effective July 1, 2007, it will remain in effect until June 30, 2008, and can be renewed on an annual basis each year thereafter.

Approve receipt of funds from the Arizona Department of Public Safety in the amount of \$450,000 pursuant to the above agreement. These funds will be used to pay the salaries and benefits of four new Senior Level Prosecutors to prosecute State Gang Task Force cases and other criminal street gang cases submitted by law enforcement agencies in Maricopa County. The funds may not be expended for any indirect costs which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$62,100.00.

Also, approve increases to the County Attorney's (190) grant fund (219) revenue and expenditure appropriations for FY 2007-08 by \$450,000. These revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1908031200)

Sheriff

8. ISSUE UNDERCOVER NON-GOVERNMENTAL LICENSE PLATES AND EXEMPT VEHICLE FROM MARKINGS

Approve new replacement undercover registrations and issuance of undercover non-governmental license plates including exemptions from markings, per A.R.S. §38-538.03 and A.R.S. §28-2511 for seven vehicles in the County fleet. Two vehicles are replacements and State Law does not allow the automatic transfer of undercover plates to their replacements. These vehicles will be used to conduct undercover investigations. The remaining five vehicles were approved as additions to fleet in agenda numbers C507522300, C5007522302, and C5007017M00. Two will be used in undercover activity associated with Homeland Security and three will be used for the Seriously Mentally Ill Intervention Activity where police anonymity is required for the success of the intervention. Exemptions granted pursuant to A.R.S. §38-538.03 are in effect for one year. A confidential list of these seven vehicles will be kept on file in the Clerk of the Board's Office. (C5008026M00)

9. DONATIONS

Approve the acceptance of three donations totaling \$850 to the Sheriff's Office in the amounts of \$300 from Jeremy Garcia, \$250 from Chris Terracino and \$300 from Daniel Marchand for use by the MCSO Animal Safe Hospice (MASH) Unit. (C5008030M00) (ADM3900-006)

Superintendent of Schools

10. APPLY AND ACCEPT FUNDS FOR SPECIAL EDUCATION CLASSROOM MATERIALS AND SERVICES

Approve the application for and the acceptance of \$11,282 from the Arizona Department of Education (ADE) for the 2008 IDEA – Basic Entitlement Grant Renewal which provides Special Education Classroom Materials and Services for Mobile Elementary School District #86 and Sentinel Elementary School District #71. The term of the grant will be one year beginning July 1, 2007, and ending June 30, 2008. This grant is renewable.

The FY 2007-08 budgeted amount for this grant is \$10,642 with the acceptance of \$11,282, this action requires a revenue and expenditure appropriation adjustment increasing the FY 2007-08 Superintendent of Schools (370) Grant Fund (715) revenue and expenditure budgets by \$640.

Maricopa County Superintendent of School's indirect rate for FY 2007-08 is 14.16 percent. The restricted indirect cost rate allowed by this grant source is 7.4 percent. Recoverable indirect costs are \$777. The restricted indirect cost rate unallowable by this grant source is 6.76 percent. Unrecoverable indirect costs on this grant award are \$710. If any funds are awarded, the Superintendent of Schools will return to the Board for approval and acceptance of these funds and any subsequent amendments.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C3708011300)

11. APPLY AND ACCEPT FUNDS FROM THE ARIZONA DEPARTMENT OF EDUCATION FOR INSTRUCTIONAL SERVICES FOR GIFTED STUDENTS

Approve the application for and the acceptance of \$33,628 from the Arizona Department of Education (ADE) for formula based Gifted Education funds to improve instructional services for Gifted students within the Maricopa County Regional Special Services District Gifted Education consortium (9 schools in rural areas). The term of the grant will be one year beginning July 1, 2007, and ending June 30, 2008. This grant is non-renewable, and a new proposal will be required for the next fiscal year based upon Local Educational Agencies' (LEA) student data submitted to ADE.

The FY 2007-08 budgeted amount for this grant is \$18,048. With the acceptance of \$33,628, this action requires a revenue and expenditure appropriation adjustment increasing the FY 2007-08 Superintendent of Schools (370) Grant Fund (715) revenue and expenditure budgets by \$15,580.

Maricopa County Superintendent of School's indirect rate for FY 2007-08 is 14.16 percent. The restricted indirect cost rate allowed by this grant source is 7.4 percent. Recoverable indirect costs are \$2,317. The restricted indirect cost rate unallowable by this grant source is 6.76 percent. Unrecoverable indirect costs on this grant award are \$2,117. If any funds are awarded, the Superintendent of Schools will return to the Board for approval and acceptance of these funds and any subsequent amendments.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. § 42-17105. (C3708013300)

Treasurer

12. COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for September 2007, as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C4308008700) (ADM4006)

TRIAL COURTS

Adult Probation

13. ISSUE NON-GOVERNMENTAL LICENSE PLATES AND EXEMPT VEHICLES FROM MARKINGS

Pursuant to A.R.S. §38-538.03, approve the issuance of non-governmental license plates and the exemption from markings, including Maricopa County seals, for nine replacement vehicles which will be used by Adult Probation officers on a full time basis for the supervision and surveillance of convicted Domestic Violence and Intensive Probation offenders who reside in the community as well for supervision of defendants assigned to Pretrial Supervision and those probationers in Work Furlough. A confidential list of the information for these vehicles will be kept on file at the Clerk of the Board office. (C1108005000) (ADM3101V)

Juvenile Probation

14. ONE-TIME LUMP SUM PAYMENT

Approve a request for payment of one one-time lump sum payment as authorized by Judicial Policy P-305B "Judicial Human Resources Compensation Policy and Procedure", Section XI.E., Performance/Merit increases. The payment would be effective upon Board approval. The lump sum payment is for Ben Lee, for a one-time lump sum payment of \$498.40. (C2708006M00) (ADM3308)

Superior Court Judges and Commissions

15. ONE TIME LUMP SUM PAYMENTS

Approve a payment of two one-time lump sum payments as authorized by Judicial Policy P-305B "Judicial Human Resources Compensation Policy and Procedure", Section XI.E. Performance/Merit increases. The increases would be effective upon Board approval. The lump sum payment is for the following employees: Maria Santiago, one time lump sum of \$134.40 and Chris Rufo, one time lump sum of \$1,000. These employees; talents and abilities far exceed our expectations, and this adjustment is intended to acknowledge their tremendous contributions in areas outside their primary areas of responsibility. No Budget Appropriation Adjustment is requested. (C3808004800) (ADM3308)

COUNTY MANAGER

Office of the County Manager

16. ECONOMIC DEVELOPMENT CONTRACT WITH GREATER PHOENIX ECONOMIC COUNCIL

Approve the FY 2007-08 Economic Development Contract (C2008029100) with The Greater Phoenix Economic Council in the amount of \$644,776. The Board approved funding for Economic Development contracts as line items in the FY 2007-08 final budget. As part of the Economic Development funding, Maricopa County will provide The Greater Phoenix Economic Council with \$644,776. The Greater Phoenix Economic Council will provide Maricopa County with economic support focused on marketing Maricopa County to generate positive exposure and qualified business/industry prospects during the County's FY 2007-08. This contract contains performance goals and reporting requirements. (C2008034100)

DEPUTY COUNTY MANAGER

Correctional Health

17. AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH AHCCCS

Approve Amendment No. 3 to the Intergovernmental Agreement C2605009200 (YH05-0024-00) between Arizona Health Care Cost Containment System (AHCCCS) and Maricopa County on behalf of Correctional Health Services, to extend the term of the IGA from October 1, 2007 through September 30, 2008, and make revisions as described in the executable IGA. Either party may renew the IGA for up to one additional one-year term. Extension of the IGA will provide Maricopa County an estimated (based on current utilization rates) net annual benefit of approximately \$1,100,000 in the form of payment by AHCCCS on behalf of the County of for acute care hospital costs for certain AHCCCS eligible inmates who are treated in a "non-locked down" hospital ward. In addition, approve as the official file number for IGA YH05-0024-00 to be C2605009200 with the note that Amendment No 1 was approved under C2606001200 on October 5, 2005. (C2605009202)

18. ADMINISTRATIVE CORRECTION TO IGA FOR ESTABLISHING AND OPERATING A PIMA COUNTY RESTORATION TO COMPETENCY PROGRAM

Approve an administrative correction to the action taken on February 7, 2007, under C2607007200 in which the Board approved the intergovernmental agreement (IGA) between Pima County and Maricopa County's Department of Correctional Health for establishing and operating a Pima County Restoration to Competency Program in Tucson, AZ. This administrative correction changes the revenue and expenditure appropriation increase to the Correctional Health Services (260) General Fund (100) budget in the amount of \$500,000 in FY 2007-08, instead of Correctional Health Services (260) Detention Fund (255). All other terms and conditions of this intergovernmental agreement shall remain unchanged. (C2607007202)

General Government

19. CONTRACT WITH ADP, INC FOR PURCHASE OF A COMPREHENSIVE HOSTED HUMAN RESOURCE INFORMATION SYSTEM

Approve a five year contract with ADP, Inc., subject to review and approval by the civil division, for the purchase of a comprehensive hosted Human Resource Information System to manage employee recruiting, employee records, time/labor reporting, payroll services and benefit administration. The estimated cost of this contract is \$17,412,357 over the five year base term with two five-year renewal options.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount not-to-exceed \$5,000,717 from FY 2007-08 Appropriated Fund Balance (480) General Fund (100) Technology Reserve (4811) to a new line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "Human Resource System" This will fund one-time costs associated with the implementation of ADP, Inc. Also, direct the Office of Management and Budget to reserve \$2,965,312 in General Government (450) General Fund (100) for on-going contract costs. This action will require an expenditure appropriation adjustment **decreasing** the FY 2007-08 Non-Departmental (470) General Fund (100) General Contingency (4711) in an amount not-to-exceed \$2,965,312 and **increasing** the FY 2007-08 General Government (450) General Fund (100) in the amount not-to-exceed \$2,965,312. OMB will reduce budgets of departments that are affected by this implementation. These adjustments will result in a net impact of zero to the County budget. (C4508006800)

Management & Budget

20. BUDGETING FOR RESULTS BUDGET BALANCING STRATEGIES

Approve the "Budgeting for Results Budget Balancing Strategies" Maricopa County is facing significant structural budget deficits in FY 2007-08, FY 2008-09 and beyond. The Office of Management and Budget and the County Manager seek approval and direction from the Board of Supervisors to implement a series of strategies to restore a sustainable, structurally-balanced budget. (C4908017800)

Public Health

21. AMENDMENT TO SOLE SOURCE CONTRACT FOR MEDICAL SERVICES TO HOMELESS YOUTH

Approve Amendment No. 5 to the sole source contract between Phoenix Children's Hospital (PCH) and Maricopa County Department of Public Health, Health Care for the Homeless (HCH) program for PCH to provide medical services to homeless youth via a mobile medical clinic. This sole source contract is in compliance with the Maricopa County Procurement Code, Section MC1-344. This contract provides funds to PCH in the amount of \$133,762.75 for the budget period from November 1, 2007 to October 31, 2008. Funding for this contract is provided by a grant from the Health Resources and Services Administration and will not affect the County General Fund. (C8605567106)

22. AMENDMENTS FOR WELL WOMAN HEALTHCHECK SERVICES

Approve the following amendments:

- a. Amendment No. 4 to Contract (C86060181) between **Clinica Adelante, Inc.** and the Maricopa County Department of Public Health (MCDPH) to provide Well Woman Healthcheck services. The purpose of this amendment is to change paragraph 2.0. PAYMENT, item 2.1 to allow MCDPH to provide increases to the agreement dollar amount through purchase orders. This amendment does not provide for any additional funding and is valid upon execution by both parties through June 30, 2008. This agreement is a subcontract to the Intergovernmental Agreement (HG761266) between MCDPH and the Arizona Department of Health Services (ADHS), and does not increase the County general fund. Reimbursement to subcontractors are on a per enrollee basis at a rate established by ADHS. (C8606018104)
- b. Amendment No. 5 to contract for services (C86060231) from Maricopa County Department of Public Health (MCDPH) to the **Arizona Board of Regents d.b.a. Arizona State University** to provide Well Woman Healthcheck Services. The purpose of this amendment is to change paragraph 2.0. PAYMENT, item 2.1 to allow MCDPH to provide increases to the agreement dollar amount through purchase orders. This amendment does not provide for any additional funding and is valid from execution by both parties through June 30, 2008. This agreement is a subcontract to IGA (HG761266) between MCDPH and the Arizona Department of Health Services (ADHS), and does not increase the County general fund. Reimbursement to subcontractors are on a per enrollee basis at a rate established by ADHS. (C8606023105)

- c. Amendment No. 5 to Contract (C86060281) between **Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center** and the Maricopa County Department of Public Health (MCDPH) to provide Well Woman Healthcheck services. The purpose of this amendment is to change paragraph 2.0. PAYMENT, item 2.1 to allow MCDPH to provide increases to the agreement dollar amount through purchase orders. This amendment does not provide for any additional funding and is valid from execution by both parties through June 30, 2008. This agreement is a subcontract to the Intergovernmental Agreement (HG761266) between MCDPH and the Arizona Department of Health Services (ADHS), and does not increase the County general fund. Reimbursement to subcontractors are on a per enrollee basis at a rate established by ADHS. (C8606028105)
- d. Amendment No. 9 to Contract (C86070041) between **Mountain Park Health Center, Inc** and the Maricopa County Department of Public Health (MCDPH) to provide Well Woman Healthcheck services. The purpose of this amendment is to change paragraph 2.0. PAYMENT, item 2.1 to allow MCDPH to provide increases to the agreement dollar amount through purchase orders. This amendment does not provide for any additional funding and is valid from execution by both parties through June 30, 2008. This agreement is a subcontract to Intergovernmental Agreement (HG761266) between MCDPH and the Arizona Department of Health Services, and does not increase the County general fund. Reimbursement to subcontractors are on a per enrollee basis at a rate established by ADHS. (C8607004106)

23. TERMINATION OF IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT DBA MIHS FOR HIV COUNSELING & RAPID ANTIBODY TESTING SERVICES

Approve the termination of intergovernmental agreement (IGA) C86060482 between Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County Department of Public Health (MCDPH) for the provision of HIV Counseling & Rapid Antibody Testing Services. MCDPH was contracted by MIHS to provide the counseling and testing service. However, in accordance with Section I, Paragraph 36, B., Termination by Mutual Agreement, of the original agreement, the IGA termination has been mutually agreed upon by both parties and is effective October 15, 2007.

The department will require a revenue and expenditure appropriation reduction to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$29,000 for FY 2007-08. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by a grant from MIHS and will not impact the County general fund budget. (C8606048202)

Workforce Management and Development

24. INCREASE TO THE EMPLOYEE COMMUTER BENEFIT SUBSIDY

Approve an increase to the employee commuter benefit subsidy from \$56 per month per employee to \$68 per month per employee in order to maintain the current levels of employee subsidy for the Bus Card Plus Program and Vanpool Program. This change is a result of the Valley Metro fare structure effective December 1, 2007. (C3108006800) (ADM3314)

25. AMENDMENT TO SOLE SOURCE CONTRACT FOR DENTAL SERVICES TO HOMELESS

Approve Amendment No. 1 to sole source Contract No. C86060641 between Maricopa County Department of Public Health, Health Care for the Homeless (HCH) Program and Central Arizona Shelter Services, Inc., (CASS) for CASS to provide dental services to homeless individuals. This sole source contract is in compliance with the Maricopa County Procurement Code, Section MC1-344. This contract provides funds to CASS in the amount of \$50,000 for the budget period from November 1, 2007 to October 31, 2008. Funding for this contract is provided by a grant from the Health Resources and Services Administration, and will not affect the County General Fund. (C8606064101)

26. AMENDMENTS TO IGAs FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve the amendments to the following intergovernmental agreements (IGAs) to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. These amendments are effective upon execution by both parties and exercise the option in the agreement per Section 1, paragraph 24 to extend the agreement for a one year period starting upon full-execution of the agreements to May 1, 2008. These agreements are covered under Section MC1-1001 of the Maricopa County Procurement Code.

- a. Amendment No. 1 to IGA No. C86074122 with the **Saddle Mountain School District**. This amendment also provides additional funds to the Saddle Mountain School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607412201)
- b. Amendment No. 3 to IGA No. C86074202 with the **Liberty School District**. This amendment also provides additional funds to the Liberty School District in the amount of \$2,000 for the budget period July 1, 2007 through May 1, 2008. (C8607420203)

27. LETTER OF TERMINATION WITH REMUDA RANCH CENTERS FOR ANOREXIA AND BULIMIA, INC.

Approve a letter of termination of the Affiliation Agreement, C86980230, between Remuda Ranch Centers for Anorexia and Bulimia, Inc., (Remuda Ranch) and Maricopa County Department of Public Health for the dietetic internship program in the Public Health Office of Nutrition Services.

Also, authorize the Chairman to execute the letter of termination. Termination of the above referenced agreement is pursuant to Paragraph 8. "Termination of Agreement," and is effective 30 days after receipt of the letter of termination by Remuda Ranch. This agreement is non-financial and will not affect the County general fund. (C8698023003)

ASSISTANT COUNTY MANAGER - COMMUNITY SOLUTIONS AND INNOVATION

Human Services

28. CHANGE ORDER TO AN IGA WITH THE CITY OF PHOENIX FOR SPECIAL TRANSPORTATION SERVICES

Authorize execution of a Change Order to an intergovernmental agreement (IGA) with the City of Phoenix for Special Transportation Services to extend the Grant Reimbursement Term from September 30, 2007 to December 31, 2007.

Also, approve revenue and expenditure appropriation adjustments to the Human Services Department, (222), Human Services Grants associated with the remaining grant amount of \$28,000 for FY 2007-08. Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. (C2205071201)

29. AMENDMENT TO LEASE AGREEMENT WITH THE CITY OF CHANDLER

Approve Amendment No. 1 to Lease Agreement No. L7178 with the City of Chandler, Lessor, for one successive two-year term. The rental rate shall be \$3,750 per year for this Head Start classroom and playground facility located at, 660 South Palm Lane, Chandler, Arizona. The lease term commences January 28, 2008 until January 28, 2010. This contract does not include County general funds and was approved by the County Facilities Committee on September 27, 2007. (C2205115401)

30. AMENDMENT TO CONTRACT WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C2207125301, the Transit Service Agreement (Contract 215-34-2008) between the Regional Public Transportation Authority (RPTA) and the Maricopa County Human Services Department to approve FY 2007-08 reimbursement of funds in the amount of \$109,586. This amendment is effective for the performance period of July 1, 2007 until June 30, 2008.

All overhead/indirect costs are allowable and the FY 2007-08 authorized rate will be applied to this contract. A Grant Agenda Indirect Cost Calculation form provides detail on indirect cost recovery. The funding requested will not exceed \$109,586 in total. The County's authorized indirect cost rate of 16.5% will be applied and total estimated indirect costs are \$15,521.

Also, approve revenue and expenditure appropriation adjustments to the Human Services Department (222) HS Grants associated with the grant in the amount of \$109,586 for FY 2007-08. Grant revenues are not "local" revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2207125302)

31. AMENDMENT WITH VALLEY OF THE SUN YMCA FOR IMPLEMENTATION PLAN TO TRACK ACHIEVEMENTS OF POSITIVE PERFORMANCE

Approve Amendment No. 1 to Contract C22080971, between Valley of the Sun YMCA and Maricopa County Human Services Department for the one year implementation plan to track achievements of positive performance in year two of the program.

Also, approve the new location of the facility at 4306 W. Missouri Avenue, Glendale, Arizona 83501 in Maricopa County. This amendment is non-financial and is effective from September 1, 2007 until August 31, 2008. Funding for this contract is federal WIA funding provided to Maricopa County by the Arizona Department of Economic Security. This contract does not contain any County general funds. (C2208097101)

32. MOU WITH CATHOLIC CHARITIES COMMUNITY SERVICES FOR DONATION OF SURPLUS PLAYGROUND EQUIPMENT

Approve a Memorandum of Understanding (MOU), C2208122M, between Catholic Charities Community Services and Maricopa County Human Services Department, for the donation of surplus playground equipment located at the Thew Elementary School, in the Tempe Elementary School District. This equipment would be of great benefit to Catholic Charities. This MOU is non-financial and the effective date of this Memorandum of Understanding is upon Board approval. (C2208122M00)

ASSISTANT COUNTY MANAGER – JUSTICE PLANNING AND INFORMATION

Integrated Criminal Justice Information Systems

33. IGA WITH THE CITY OF GLENDALE FOR SOFTWARE

Approve an Intergovernmental Agreement (IGA) #C-6226, between the City of Glendale, a municipal corporation of the State of Arizona and Maricopa County through Integrated Criminal Justice Information System (ICJIS). ICJIS has developed the Justice Web Interface (JWI) Application which consists of a browser application used for data entry, server application, reporting module and database schema, the corresponding source code and support documentation, (Software) which ICJIS has offered to furnish a copy to the City. ICJIS shall provide the City with the Software within 15 days upon completion of this IGA. This IGA shall become effective on the date first set forth above and shall expire on June 30, 2020. (C4208005200)

CHIEF FINANCIAL OFFICER

Animal Care & Control Services

34. KENNEL PERMIT

Pursuant to A.R.S. §11-1009, approve the following kennel permits for the term of November 14, 2007 through November 13, 2008

- a. **Jan Wetton, d.b.a. Wetton Kennels**, located at 5003 W. Mercer Lane, Glendale, AZ 85304. Permit #391. The cost of a kennel permit is \$328, plus a penalty fee of \$25, totaling \$353. (Supervisory District 4) (C7908040C00) (ADM2304)
- b. **Susie and Jorge Olivera, d.b.a. Olivera Kennels**, located at 3440 E. Campbell Road, Gilbert, AZ 85234. Permit #399. The cost of a kennel permit is \$328. (Supervisory District 2) (C7908041C00) (ADM2304)
- c. **Julie Konwent, d.b.a. Elain-Ward Sighthounds**, located at 3802 E. Winchcomb Drive, Phoenix AZ 85032. Permit #360. The cost of a kennel permit is \$328. (Supervisory District 3) (C7908042C00) (ADM2304)

35. DONATIONS

Accept the following donations:

- a. Monetary donation from **Maddie's Fund of Alameda, CA** in the amount of \$20,000 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908037700) (ADM2300-006)
- b. Monetary donation from **Van Norman & Van Norman, PC, of Scottsdale, AZ** in the amount of \$1,500 for the care of the animals; and, a donation from the **Town of Paradise Valley** in the amount of \$1,000 for spay/neuter of pets belonging to low-income families living in the Northeast Valley. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908038700) (ADM2300-006)
- c. Donation of \$685 gift card from **PETCO Foundation** for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908039700) (ADM2300-006)

- d. Donation of \$250 from **Don Tapia of Phoenix, AZ** and \$895 from **PETCO Foundation** for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908043700) (ADM2300-006)

Finance

36. FUND TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

37. AMENDMENT TO IGA FOR LEASE VACANT COUNTY OWNED FACILITY

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C1803021200, between the Town of Buckeye and Maricopa County. Mutually agreed by both parties, this amendment extends the lease term expiration date from April 16, 2008 to July 31, 2009 and provides the option for either party to renew the lease an additional one year period beyond the July 31, 2009 expiration date. The nominal rent for the facility is \$1.00 per year. (C1803021201)

Materials Management

38. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award

07026-S Document Imaging Services (\$3,000,000 estimate/three years with three one-year renewal options) Price agreement to provide document imaging services for various County Agencies.

- AmCad
- Anacomp
- The Data Center of Arizona
- ICM, Inc.
- Lason
- National Technology Solutions
- Osam of Arizona, Inc.
- Sourcecorp BPS, Inc.

07075-C Plumbing Supplies (\$1,500,000 estimate/three years with three one-year renewal options) Price agreement for the purchase of standard plumbing supplies as requested by the Facilities Management Department.

- Brown's Partsmaster, Inc.

Renewals/Extensions:

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until December 31, 2011

- 05179-RFP Internet Tax Lien Auction Services (\$700,000 estimate/four years)** Contract renewal is to provide the Treasurer's Office internet tax lien auction services relating to the sale of delinquent tax liens and per Arizona Revised Statutes.
- Grant Street Group, Inc.

39. TRADE-IN OF COPY MACHINES

Pursuant to Maricopa County Procurement Code, MC1-803, 3.D.3., approve the trade-in of three color/black and white copy machines, valued at \$1,000 to Hughes-Calihan Corporation. The Graphics Division of Materials Management will utilize this trade-in value in conjunction with the purchase a new color copy system from Hughes-Calihan (State of Arizona Contract EPS 060122-2) which will replace this outdated equipment which has exceeded its useful life cycle.

One Canon Model 2050 Imagerunner (Asset # F84292)
One Canon Model 2050 Imagerunner (Asset # F84293)
One Ricoh Model 1105 Aficio (Asset # F84294)

The Maricopa County Procurement Code provides that surplus materials may be disposed of by trade-in with the approval of the Board. (C7308002000)

Parks and Recreation

40. NOTICE OF APPEAL IN THE CASE AUGUST V. MARICOPA COUNTY AND ACCEPT THE PROPOSED FORM OF JUDGMENT

Approve the recommendation of County Counsel not to file a Notice of Appeal in the case August v. Maricopa County, Case No. CV 1996-006985, and accept the Proposed Form of Judgment as presented by the Court, and pay the judgment from the County's self-insured trust. This item was discussed in Executive Session on November 13, 2007. (C3008012M00)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

41. IGA WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY /VALLEY METRO FOR PROFESSIONAL SERVICES

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C8507009300, between the Regional Public Transportation Authority (RPTA)/Valley Metro and Maricopa County in the amount of \$400,000 for professional services provided to the Maricopa County Regional Trip Reduction Program (TRP). The funding comes from the Maricopa Association of Governments (MAG) Agreement #262, Amendment 3, FY 2007-08 Unified Planning Work Program. The award period is from October 1, 2007 through September 30, 2008. The RPTA will provide the following trip reduction related services: promotion and advertising services; training employer personnel; providing technical assistance to voluntary and major employers; and developing, producing, and distributing training and collateral materials. This agreement remains in effect from October 1, 2007 to September 30, 2008 (Maricopa County FY 2008-09). (C8507009301)

42. DELEGATION AGREEMENT BETWEEN ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY AND MARICOPA COUNTY AIR QUALITY DEPARTMENT

Approve delegation agreement #06-0024 between the Arizona Department of Environmental Quality (ADEQ) and the Maricopa County Air Quality Department (MCAQD). This agreement delegates authority to Maricopa County to perform the functions and duties for Air Quality delegations through June 30, 2012. This new agreement shall be effective 30 days after written notice of ADEQ's final decision to enter into this agreement and be valid for the time period of December 27, 2006, and continue through June 30, 2012. (C8508007200)

Environmental Services

43. DELEGATION AGREEMENT BETWEEN ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY AND MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT

Approve delegation agreement #06-0024 between the Arizona Department of Environmental Quality (ADEQ) and the Maricopa County Environmental Services Department (MCESD). This agreement is to renew the agreement between the two departments and to delineate jurisdiction, facilitate communication, and prevent duplication of effort performing the functions and duties for Wastewater, Drinking Water and Solid Waste. This delegation agreement shall be effective 30 days after written notice of ADEQ's final decision to enter into this agreement and be valid for the time period of December 27, 2006, through June 30, 2012. (C8808003000)

44. AMENDMENT TO IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES

Approve Amendment No. 1 to Intergovernmental Agreement (IGA), C8807009200, (#HG752215) between the Arizona Department of Health Services (ADHS) and Maricopa County in the amount of \$1,379,583.33 for delegated duties from ADHS to allow unbilled services prior to June 30, 2007 to be paid. The initial period for this IGA is 14 months with effective dates of May 1, 2007 through June 30, 2008. This agreement remains in effect for the period necessary to complete activities specified in the IGA, such period not-to-exceed June 30, 2008. Also, pursuant to A.R.S. §42-17106(B), intergovernmental agreement revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C8807009201)

Equipment Services

45. COUNTY VEHICLE AND ENVIRONMENTAL RESPONSIBILITY POLICY

Approve the County Vehicle and Environmental Responsibility Policy. The purpose of this policy is to provide County Departments and Special Districts direction regarding the responsibilities Maricopa County has in relation to the vehicles that the County operates and its impact to the environment. (C7408002M00)

ASSISTANT COUNTY MANAGER – PUBLIC WORKS

Facilities Management

46. AMENDMENT TO CRANE LICENSE AGREEMENT WITH THE WEITZ COMPANY, LLC, FOR USE AND OPERATION OF A CRANE IN AIR SPACE

Approve and execute Amendment No. 1 to Agreement No. MC10158 with The Weitz Company, LLC, Grantee, and Maricopa County Facilities Management for the use and operation of a crane in air space over the County owned Security Building in connection with the construction of an adjacent condominium tower. The Grantee now wishes to early terminate this License on November 30, 2007. Grantee's request was approved by the Facilities Review Committee on October 25, 2007. (C7006025B01) (ADM645)

Transportation

47. DONATION

Accept a monetary donation from Arizona Rock Products Association in the amount of \$30,000 in support of Maricopa County Department of Transportation's PM 10 (Air Quality) Program.

Also, approve an amendment to the current FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234) by **increasing** the Year 1 (FY 2007-08) revenue budget for Project Number T265, 43rd Ave: Southern to Broadway, by \$30,000.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (Supervisory District 5) (C6407223801) (ADM2000-006)

48. ANNEXATION BY CITY OF GOODYEAR

Approve the annexation by the City of Goodyear of County right-of-way within: Perryville Road, between Broadway Road and Lower Buckeye Road, Broadway Road, between Perryville Road and Citrus Road, and a portion of Citrus Road, between Broadway Road and Lower Buckeye Road, adjacent to the Brisas Planned Area Development, all in accordance with Ordinance No. 2007-1067. (Supervisory District 4) (C6408037000) (ADM4208-002)

49. AMENDMENT TO THE FY2008-2012 FIVE-YEAR TRANSPORTATION IMPROVEMENT PROGRAM

Pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08) by **decreasing** the capital budgets for the following projects:

Project Number	Name	Capital Budget
T004	Warranted Traffic Improvement's	\$70,000
T006	Unallocated Force Account	\$17,500

And, adjusting the following project by **increasing** the FY2007-2008 (Year 1) capital budget for:

Project Number	Name	Capital Budget
T273	Traffic Signal Improvements No.15	\$35,000

Also, approve the addition of the following projects and corresponding expenditure budgets to the FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08):

Project Number	Name	Budget
T278	Carefree Highway at 24th Street	\$40,000
T279	Traffic Signal Improvement No. 16	\$2,500
T280	Traffic Signal Improvement No. 17	\$2,500
T281	Traffic Signal Improvement No. 18	\$2,500
T282	Traffic Signal Improvement No. 19	\$2,500
T283	Traffic Signal Improvement No. 20	\$2,500

Also, approve the name change of Project T273, Traffic Signal Improvements No. 15 to Carefree Highway at 16th Street.

The requested adjustments are necessary to realign project budgets to more closely match year-end projected expenditure amount, and result in a net impact of zero. (Supervisory Districts 1, 2, 3, 4 and 5) (C6408084800) (ADM2000-003)

50. RIGHT OF WAY ACQUISITION AGREEMENT

Approve a Right of Way Acquisition Agreement between **Douglas Ranch El Dorado, LLC**, an Arizona limited liability company and Maricopa County, a political subdivision of the State of Arizona. Right of Way Acquisition Agreement allows Maricopa County to apply for right of way from the Arizona State Land Department on behalf of the developer of Douglas Ranch, as requested by the State Land Department. All fees and costs are borne by Douglas Ranch El Dorado, LLC. Upon completion of construction, the roadway will be incorporated into the Maricopa County Department of Transportation's system. (Supervisory District 2) (C6408089000)

51. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

52. ROAD FILE (AB-198) VACATE AND ABANDON

Adopt Resolution AB-198 to abandon a portion of 6th Avenue and a 50' strip west of 6th Avenue in the general vicinity of 6th Avenue, North of Saddle Mountain Road, per A.R.S. §28-7214, by extinguishing a portion of the easement which was conveyed to Maricopa County by means of a Grant of Easement and Right-Of-Way on November 29th, 1982 and recorded by the Maricopa County Recorder as Docket 16513 page 258. (Supervisory District 3) (C6408083000)

BOARD OF SUPERVISORS

Clerk of the Board

53. APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS FOR RYAN WHITE PLANNING COUNCIL

- **Appoint** Maureen Sharp, representing AHCCCS, and Corey Boyette, representing General Public, for three year terms on the Ryan White Planning Council, from December 1, 2007, through November 30, 2010.
- Accept the **resignation** of Darrell Johnson effective November 15, 2007 and **appoint** Jacque Miller, currently the alternate for Mr. Johnson, as a Planning Council member representing Department of Corrections through the remainder of her term, which expires on September 30, 2009.
- Accept the **resignation** of Helen Lansche effective November 15, 2007 and **appoint** Cheri Tomlinson, currently the alternate for Ms. Lansche, as a Planning Council member representing Service Providers through the remainder of her term, which expires on February 28, 2010.
- **Transition** Michelle Barker currently a Planning Council member representing service providers to representation of an Institutional member through the remainder of her current term, which expires on February 28, 2010.
- **Appoint** Cheryl Weiner, currently the alternate for Michelle Barker (now transitioning to representation of Institutional members), as a Planning Council member representing Service Providers through the remainder of her term, which expires on December 31, 2008.
- **Reappoint** Colin Sheffield, representing Institutional members, for a three year appointment, from December 1, 2007 through November 30, 2010. (C3108007900)

54. Industrial Development Authority – These items are being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued: (ADM4792)

- a. Resolution approving solely for purposes of satisfying the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by The Industrial Development Authority of the City of Peoria, Arizona of not exceeding \$5,250,000 principal amount of its Revenue Bonds at the request of Arizona Baptist Retirement Centers, Inc., and ratifying a public hearing conducted in connection with such financing. (C1808021A00) (ADM4792)
- b. Resolution approving solely for purposes of satisfying the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the Colorado Health Facilities Authority of its Variable Rate Health Facilities Revenue Bonds at the request of The Evangelical Lutheran Good Samaritan Society for facilities located in Maricopa County, Arizona, and ratifying a public hearing conducted in connection with such financing. (C1808022A00) (ADM4792)

55. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

SETTING OF HEARINGS

~All hearings will be held at 9:00 a.m., 205 W. Jefferson, Phoenix, unless otherwise noted~

56. PROPOSED LONGHORN RANCH IRRIGATION WATER DELIVERY DISTRICT

Pursuant to A.R.S. §48-261 and §48-263, receive the impact statement for the proposed Longhorn Ranch Irrigation Water Delivery District and set a public hearing for 9:00 a.m., Wednesday, December 19, 2007.

At the hearing, the Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district impact statement and authorize the persons proposing the district to circulate petitions. The impact statement is on file in the office of the Clerk of the Board.

Pursuant to A.R.S. §48-261(C), approve a bond in the amount of \$500 to be filed with the Board by the persons proposing the district to cover costs incurred by the County if the district is not finally organized.

The proposed district is located in the Longhorn Ranch Subdivision Community between Acoma Drive and Thunderbird Road and 71st Avenue and 69th Drive in Peoria and contains approximately 66 parcels (Supervisorial District 4) (C0608038700)

Transportation

57. ROAD FILE DECLARATION

Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, December 19, 2007.

- a. **Road File No. (A387).** Williams Road, from 83rd Avenue to 79th Avenue (alignment). Supervisor District No. 4. (C6408085000)
- b. **Road File No. (A345).** Vista Avenue from 83rd Avenue to 81st Avenue. Supervisorial District 4. (C6408086000)
- c. **Road File No. (A344).** Avenida Del Sol from 89th Avenue to 83rd Avenue. Supervisor District No. 4 (C6408087000)

CONSENT AGENDA

Clerk of the Board

58. **ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
59. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300)
60. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
61. **Compromises** – Accept the requested compromises in various bond forfeiture matters, waivers of medical liens and other matters. This item was discussed in Executive Session on October 29, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM407)
62. **Donations** – Accept the donation reports received from county departments for October 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810)
63. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
64. **Minutes** – Approve the minutes of the Board of Supervisors meetings held July 25, 2007, August 22, 2007, and October 23, 2007.
65. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
66. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Roll Resolutions. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
67. **Settlement of Property Tax Cases** – Approve the settlement of tax cases dated November 14, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)

68. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)
69. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

FLOOD CONTROL DISTRICT AGENDA

FCD-1. Approve minutes of meeting held July 25, 2007 and August 22, 2007.

FCD-2. Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

FCD-3. AMENDMENT TO IGA WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) (FCD 2004A009A) between the Arizona Department of Transportation (ADOT) and the Flood Control District of Maricopa County. This IGA provides for construction of the Loop 202L Freeway and modifications to the Spook Hill Flood Retarding Structure (FRS) due to the construction of the Loop 202L Freeway. The purpose of this amendment is to incorporate the Flood Pool Habitat Mitigation and Monitoring Plan and clarify ADOT and District maintenance responsibilities upon completion of construction. As part of this plan the District will be providing tall-pot plants and oversight of their installation for which the lump-sum amount of \$52,758 will be a credit against the District's construction cost share. (C6905139202)

FCD-4. CONSTRUCTION OF THE LOOP 202L FREEWAY AND MODIFICATIONS TO THE SPOOK HILL FLOOD RETARDING STRUCTURE

Approve an increase in the total project construction cost from \$4,230,997 to a not-to-exceed cost at \$5,000,000 per Flood Control District of Maricopa County Intergovernmental Agreement FCD 2004A009 with the Arizona Department of Transportation (ADOT). The IGA provides for the construction of the Loop 202L Freeway and modifications to the Spook Hill Flood Retarding Structure (FRS). The total construction cost will continue to be offset by the cost to ADOT of District land rights. (C6905139203)

FCD-5. IGA FOR THE ELM LANE DRAINAGE MITIGATION PROJECT

Approve Intergovernmental Agreement (IGA) FCD 2007A008 between the City of Avondale and the Flood Control District of Maricopa County for the pre-design, design, rights-of-way acquisition, utility relocation, construction, construction management, operation, and maintenance of the Elm Lane Drainage Mitigation Project (#470). The project costs will be shared equally (50/50) between the District and the City. The estimated cost for the pre-design, design, rights-of-way acquisition, utility relocations, construction, and construction management is \$2,000,000. The District's estimated cost share amount will be \$1,000,000. (C6908016200)

FCD-6. CONTRACT LUKE WASH WATERSHED FLOODPLAIN DELINEATION STUDY, TO WOOD, PATEL AND ASSOCIATES, INC

Award Contract FCD 2007C020, Luke Wash Watershed Floodplain Delineation Study, to Wood, Patel and Associates, Inc. This contract is to delineate floodplains and floodways of washes tributary to the Gila and Hassayampa Rivers within the Luke Wash Watershed. The basic contract is for a lump sum of \$750,975.40, plus a not-to-exceed fee of \$353,028.55 for optional items. The optional items, which include additional field survey, delineation and final deliverables, will only be implemented if needed and as authorized in writing by the Project Manager. The total contract amount, including the optional items, will not exceed \$1,104,003.95. The contract performance period is 940 days following the Notice to Proceed. (C6908019500)

FCD-7. RESOLUTION FCD 2007R010 FOR THE PURCHASE OF A PERPETUAL EASEMENT

Adopt Resolution FCD 2007R010 for the purchase of a perpetual easement based on fair market value on the parcel of State of Arizona held land along McMicken Dam Outlet Wash which is located in Township 4N, Range 1W, Section 24. The estimated cost is \$805,000. (C6908024600) (ADM1910)

FCD-8. AGREEMENT BETWEEN FLOOD CONTROL, RAVEN ROCK CONSTRUCTION AND T.R.P. LLC

Pursuant to A.R.S. §48-3603(C)(12) authorize the execution of the agreement between the Flood Control District of Maricopa County, Raven Rock Construction, LLC and T.R.P. LLC. This item was discussed in the Executive Session on November 13, 2007. (C6908026M00)

LIBRARY DISTRICT AGENDA

LD-1. Approve the minutes of meeting held July 25, 2007 and August 22, 2007.

LD-2. DONATIONS

- a. Accept the donation reports received for October 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)

- b. Approve and accept cash donations to the Library District from Rent-A-Center for \$1,000 to be used for materials that teach financial literacy to readers of all ages for the Northwest Regional Library and \$1,000 from Wal-Mart for the El Mirage Branch Library. Diecuts from the Friends of the Surprise Libraries valued at \$2,567 for the AccuCut machine at the Northwest Regional Library for ongoing projects. Approve to amend the budget for the Library District (650), Library District Fund (244) increasing revenues and expenditures in the amount of 2,000. (C6508032000) (ADM2800-006)

LD-3. ACCEPT STATE GRANT-IN-AID GRANT FOR TRAINING AND OUT-OF-STATE CONFERENCES

Approve and accept a State Grant-In-Aid (SGIA) grant from the Arizona Department of Library, Archives, and Public Records in the amount of \$25,000. This is an annual grant that will be used to support training and out-of-state conferences. The grant award period will be July 1, 2007 through June 30, 2008. The Department's indirect cost rate is 7.03%. Grant indirect costs are not recoverable. The unrecoverable indirect amount is \$1,757.50. (C6508031300)

LD-4. IGA WITH THE CITY OF PHOENIX FOR A BOOKMOBILE

Approve an intergovernmental agreement between the City of Phoenix and the Maricopa County Library District for the District to provide a Bookmobile (Matthews Specialty Vehicle, Series 5000) to the City to be used at the location of the Saguaro Branch Library while it is closed for remodeling. The term of this agreement is November 30, 2007 until April 30, 2008. The parties may agree, in writing, to renew the duration of the agreement for an additional 30 days. The City will reimburse the District for the Internet and Satellite connectivity at a rate of \$97.00 per month.

Also, increase revenues in the Library District (650), Library District Fund (244) in the amount of \$485. (C6508033200)

STADIUM DISTRICT AGENDA

- SD-1.** Approve minutes of meeting held July 25, 2007 and August 22, 2007.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

- 70. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605)
- 71. Supervisors'/County Manager's summary of current events. (ADM606)

*****The Board of Supervisors will now consider matters related to Planning and Zoning.*****

PLANNING AND ZONING AGENDA

REGULAR AGENDA: **(Detailed below)**

1. DMP2006-008, Development Master Plan (DMP) located at the southeast corner of the 395th Avenue & Maryland Avenue alignments (in the Tonopah area) (District 5) (Continued from 10-31-07)

REGULAR AGENDA DETAIL:

1. **DMP2006-008** District 5
(Continued from 10-31-07)

Applicant: David Evans and Associates, Inc. for Colombia Properties
Location: Southeast corner of the 395th Avenue and Maryland Avenue alignments (in the Tonopah area)
Request: Development Master Plan (DMP) (approximately 561 acres) – Tonopah 561

COMMISSION ACTION: Commissioner Munoz moved to recommend approval of DMP2006-008, subject to stipulations “a” through “ee”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development shall comply with the Development Master Plan document entitled “Tonopah 561 Development Master Plan”, a bound document, dated May, 2007 and stamped received August 21, 2007, including all exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Within 30 days of approval by the Board of Supervisors, a revised DMP narrative report document and land use plan shall be submitted for review and approval by the Planning and Development Department showing any revisions to the narrative report or land use plan that may be stipulated by the Planning and Zoning Commission and/or the Board of Supervisors.
- c. Changes to the Tonopah 561 Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Tonopah 561 Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.
- d. All stipulations of approval shall remain in effect in the event of a change in name of the Tonopah 561 Development Master Plan.

- e. The initial final plat for Tonopah 561 Development Master Plan shall be approved by the Board of Supervisors within five (5) years of approval of this development master plan. If the initial final plat has not been approved within this timeframe, this development master plan will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider revocation of the adopted development master plan. If revoked, all zoning and other entitlement changes approved that are associated with Tonopah 561 Development Master Plan shall also be considered for revocation by the Board of Supervisors, upon recommendation of the Commission, to the previous entitlements.
- f. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.
- g. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record.
- h. The master developer shall be responsible for the construction of all public and private on-site roads within the Tonopah 561 Development Master Plan. Further, the Tonopah 561 homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and public facilities, washes, parks, roadway median landscaping, landscaping within public rights-of-way, and all pedestrian, bicycle, and multi-use paths.
- i. Landscaping of all common areas and open spaces, except for identified recreational areas, within Tonopah 561 shall consist of indigenous and near-native plant species of a xeriphytic nature.
- j. Unless waived by the Board of Supervisors at the time of final plat approval, all irrigation water supplied for common/open space areas and lakes shall be provided entirely by a renewable supply of water, such as treated effluent, surface water, or Central Arizona Project (CAP) water, within three (3) years after issuance of the first building permit. Interim water for the purposes noted may be supplied by groundwater and shall comply with all Arizona Department of Water Resources regulations. Proof of conversion from groundwater to a renewable water supply shall be provided to the Maricopa County Planning and Development Department within the three year requirement.
- k. The Tonopah 561 Development Master Plan shall be developed sequentially as depicted on Table 6 – Proposed Phasing and on Exhibit 12 - Phasing Plan Map contained in the Tonopah 561 Development Master Plan narrative report.
- l. The total number of residential dwelling units for the Tonopah 561 Ranch Development Master Plan shall not exceed 3,036. To help ensure compliance, the cumulative number of dwelling units platted to date, in relation to the identified limit, shall be identified on all plats.
- m. The master developer shall submit a written report to the Maricopa County Planning and Zoning Commission outlining the status of the Tonopah 561 Development Master Plan every three years following Board of Supervisors approval. The status report shall discuss development progress, including the total number of units built and platted,

locations of areas/parcels under construction, status of infrastructure development, status of non-residential property, progress on how the stipulations of approval are being implemented, and any other information as requested by the Maricopa County Planning and Development Department.

- n. Until annexation or incorporation of the entire development master plan takes place, the master developer shall notify all future Tonopah 561 Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8 ½ inch by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).
- o. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown.
- p. Not less than 32 acres shall be reserved for Recreational Open Space (ROS) land use. The project shall have two (3) neighborhood park sites of various acreages in the general locations shown in Exhibit 1 – Land Use Plan in the narrative report. Further, not less than nine (9) mini parks a minimum of 0.5 acres each shall be provided in the general locations identified in Exhibit 1 – Land Use Plan and in Exhibit 19 – Concept Mini-Park Retention Locations in the narrative report. All parks shall include recreational amenities. In addition, not less than 16 acres of dedicated, non-developable open space (except for areas requiring bank protection) shall be provided in the general locations shown on the Land Use Plan for preservation of wash corridors in their natural state. At the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative open space acreage and park numbers with respect to the requirements of this stipulation. A description of the types of recreational amenities that will be included in the Recreational Open Space and mini-parks shall also be submitted with all preliminary plats to the Maricopa County Planning and Development Department.
- q. Not less than 19 acres shall be reserved for Mixed-Use land use as depicted on Exhibit 1 – Land Use Plan in the narrative. No more than 349 dwelling units shall be developed within the Mixed Use (parcels 13 and 15.) No less than 10 acres of the Mixed Use parcels shall be developed for commercial and office employment uses. To help ensure compliance, at the time of each preliminary plat or precise plan submittal the master developer shall include a description of the status of the cumulative residential, commercial and office land use acreage platted to date with respect to the requirements of this stipulation.
- r. Not less than 10 acres shall be reserved for Office land use in the general location of Parcel 12.
- s. Unless otherwise agreed to by the Saddle Mountain Unified School District, one (1) school site at a minimum of 15.52 acres shall be reserved for a school at the location identified on Exhibit 1 – Land Use Plan of the narrative.
- t. Prior to zone change approval, the master developer shall provide a “will serve” letter and a Certificate of Convenience and Necessity from the Water Utility of Greater Tonopah demonstrating commitment to serve the entire Tonopah 561 Development Master Plan with water service, which is subject to approval by the Maricopa County Department of Environmental Services.

- u. Prior to any zone change approval, the master developer shall provide a “will serve” letter from the Balterra Sewer Corporation demonstrating commitment to serve the entire Tonopah 561 Development Master Plan with wastewater service. The “will serve” letter shall demonstrate a willingness and capability to serve the entire Tonopah 561 DMP with wastewater service.
- v. Prior to approval of the first preliminary plat, the master developer shall provide a “will serve” letter for fire protection from the Tonopah Valley Fire District or another qualified public or private fire service provider demonstrating commitment to serve the entire Tonopah 561 Development Master Plan, which is subject to approval by the Maricopa County Planning and Development Department.
- w. An archaeological survey of the subject property shall be conducted prior to approval of any preliminary plat to locate and evaluate any cultural resources on the site. Once complete, a report of the results shall be provided to the Arizona State Historic Preservation Officer (SHPO) for review and comment before any ground disturbing activities related to development are initiated. The applicant shall perform an archaeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona SHPO shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the National Historic Preservation Act.
- x. The following Maricopa County Library District stipulation shall apply:
 - \$596.00 per residential unit shall be paid to the Maricopa County Library District by the master developer as each residential building permit is issued for the purposes of future library service and infrastructure needs.
- y. The following Maricopa County Parks and Recreation Department stipulations shall apply:
 1. Two hundred fifty dollars (\$250) per residential unit will be paid by the master developer as each residential building permit is issued, to a fund for the White Tank Regional Park for trails and facilities enhancement and maintenance. The County shall deposit and hold all receipts in the parks special revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by Tonopah 561 residents. Maricopa County Parks and Recreation Department will provide each residential unit in the Tonopah 561 Development Master Plan with a one-year, seventy-five (\$75) voucher toward the purchase of an annual pass for entrance into any desert mountain regional park administered by said department, except Lake Pleasant Regional Park.
 2. Two hundred fifty dollars (\$250) per residential unit shall be paid by the master developer as each residential building permit is issued, to a fund for the Maricopa Trail system for design, construction, enhancement, operation and maintenance. The County shall deposit and hold all receipts in the trails special revenue fund for the specific purposes stated. All interest earned on this fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing

County appropriations for similar purposes, but are intended as supplemental and enhancement resources needed as this community grows in its residents' use of the Maricopa Trail.

- z. The following Maricopa County Department of Emergency Management stipulations shall apply:
1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer's cost, in order to provide adequate warning for the residents of that development, using technical information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.
 2. The developer shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde Nuclear Generating Station will provide this public safety information annually.
- aa. The following Maricopa County Sheriff's Office (MCSO) stipulation shall apply:
- Prior to any zone change, the master developer shall enter into a development agreement and Law Enforcement Services agreement with the Maricopa County Sheriff's Office (MCSO) to provide law enforcement services to this development and surrounding areas. This development and Law Enforcement Services agreement shall include, but not necessarily be limited to, the master developer's requirement to pay their proportionate share for start up costs (vehicular purchase and patrol equipment, e.g. radios, tasers and vehicle laptops) and interim fees for law enforcement services associated with the property unless it is annexed into an incorporated municipality or until a full law enforcement service contract is otherwise implemented. This development agreement may also include, but not necessarily be limited to, the master developer's requirement to donate at no cost to the county, for use by the Maricopa County Sheriff's Office, their proportionate share of separate office space complete with tenant improvements or land (the size to be determined in the development and Law Enforcement Services agreement,) or payment of fees when a permit is issued, for the Sheriff's Office to conduct day-to-day business related to providing law enforcement services to this development and surrounding areas. The office space complete with tenant improvements per Maricopa County Sheriff's Office requirements and associated parking or land shall be provided not later than two (2) years from the opening of the first model home complex within the DMP, or as agreed to in the development and Law Enforcement Services agreement. The developer(s) who incur the above Sheriff's Office costs shall be eligible for reimbursement from other service area developers, with the rate of reimbursement defined in the development agreement. This stipulation shall be modified should a Sheriff's Office Impact Fee be enacted by the county. This

development and Law Enforcement Services agreement shall be signed by both the master developer and the Maricopa County Sheriff's Office and provided to the Maricopa County Planning and Development Department for public record.

- bb. The following Flood Control District of Maricopa County (FCD) stipulations shall apply:
- The owner or his representative shall obtain a Conditional Letter of Map Revision prior to any final plat approvals.
- cc. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
1. The Applicant (Developer) has provided a Traffic Impact Study (TIS.) The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall address the timing, including "trigger" points for when design should begin, and "thresholds" by which time construction should be complete. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS (original dated April 27, 2007) shall be updated prior to any zoning (rezoning) and/or final plat approvals and with each development phase to reflect current conditions and any changes to the development plan. The need for additional lane capacity on offsite arterial alignments will be reviewed with each re-submittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS.
 2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The Developer may construct certain regional improvements as further defined in the Development Agreement, in lieu of payment of this contribution. Such street improvements must be "system roadways," must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT may require a Development Agreement to detail the specifics of construction, including phasing and timing. If the Developer does not construct regional roadway improvements, the Developer shall pay the contribution amount at the time individual building permits are issued, or per an alternate agreement as approved by MCDOT.
 3. The Development Agreement shall be executed prior to any zoning (rezoning) or preliminary plat approval. The Development Agreement shall be an enforceable contract, regardless of annexation.
 4. The Developer shall provide the ultimate full or half-width of right-of way for all public roadways. Right-of-way shall be provided as follows:
 - a. 395th Avenue: 65 feet half-width (perimeter) r/w.
 - b. 394th Avenue: 80 feet full-width (interior) r/w.
 - c. 392nd Avenue: 60 feet full-width (interior) r/w.
 - d. 391st Avenue (north of Missouri Avenue): 80 feet full-width (interior) r/w.
 - e. 390th Avenue: 80 feet full-width (interior) r/w.

- f. Maryland Avenue: 40 feet half-width (interior) r/w.
- g. Bethany Home Road: 130 feet full-width (interior) r/w.
- h. Missouri Avenue: 40 feet half-width (perimeter) and 80 feet full-width (interior) r/w.
- i. Camelback Road: 100 feet half-width (perimeter) r/w.

The above references the interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways.) Half-width right-of-way shall be provided where "half" of the roadway is within the development (perimeter roadways.) Additional right-of-way shall be dedicated at any intersections where future dual left turns are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Maricopa Association of Governments (MAG) in conjunction with the Arizona Department of Transportation (ADOT) is conducting a "Hassayampa Valley Regional Transportation Network Study." This study is evaluating future regional arterial transportation network needs. The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study.

- 5. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width perimeter roadways, unless approved otherwise by MCDOT. A portion of these improvements may be creditable to the Developer's contribution referred to in item #2. All roadways must meet all county standards in effect at the time. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including ITS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County.") Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. The Developer shall relocate any "obstructions" (well sites, etc. and/or provide additional right-of-way in the event of conflict with any transportation facilities. Roadway improvement plans must be approved and permitted by MCDOT.
- 6. The Developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the Developer's contribution referred to in item #2.
- 7. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.
- 8. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
- 9. The Developer shall not locate elementary or middle schools on arterial alignments. (The schools may not "back-up" to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.

10. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Developer shall prepare a comprehensive multimodal transportation and circulation plan (the "Multimodal Plan") which addresses public transit, bicycle, pedestrian, golf cart, equestrian and other alternative uses. The Multimodal Plan must be approved before the subsequent approval of any roadway improvement plans.
 11. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public right-of-way, a Street Light Improvement District (SLID) or comparable authority must be established to provide operation and maintenance. The Applicant should contact the Office of the Superintendent of Streets (602-506-8797) to initiate the SLID process.
 12. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Homeowner's Association (HOA) shall be responsible for maintenance of landscaping within public rights-of-way.
 13. The Developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
 14. The Developer shall comply with all applicable local, state and federal requirements (dust control, noise mitigation, AZPDES, 404 permitting, etc.)
 15. The Developer shall provide written documentation of ADOT's review and requirements. (The Developer has submitted documentation of ADOT's review. MCDOT is in the process of evaluating ADOT comments. This coordination will be on-going.)
 16. The Developer shall satisfactorily address needed improvements to Indian School Road, Wintersburg Road and the 359th Avenue/I-10 traffic interchange. (This is in process and will be on-going.)
- dd. The following Luke Air Force Base (LAFB) stipulation shall apply:

The master developer shall notify future residents that they are located within the vicinity of a military training route with the following notification:

"You are buying a home or property within the vicinity of a military training route, and may be subject to direct overflights and noise by Luke Air Force Base and other military jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flights per year, at an average of approximately 170 over flights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range, and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 A.M. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends."

Such notification shall be permanently posted in front of all home sales offices on not less than a 3 foot by 5 foot sign, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, be included in all covenants, conditions, and restrictions (CC&Rs) and be included in the public report.

ee. The following Drainage stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
3. The applicant shall address all items identified in the drainage review memorandum dated August 1, 2007.